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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTHERN CALIFORNIA
San Jose Division**

**BINYAM MOHAMED;
ABOU ELKASSIM BRITEL;
AHMED AGIZA;
MOHAMED FARAG AHMAD
BASHMILAH;
BISHER AL-RAWI**

Plaintiffs,

v.

JEPPESEN DATAPLAN, INC.

Defendant.

Civil Action No. 5:07-cv-02798 (JW)

**[PROPOSED] ORDER DENYING
UNITED STATES' REQUEST
FOR A STAY AND DEFENDANT'S
MOTION TO CHANGE TIME**

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23 **[†]Attorneys for and on behalf of Plaintiff BINYAM MOHAMED only**

24 **⁺⁺ Attorney for and on behalf of Plaintiff MOHAMED FARAG AHMAD BASHMILAH
25 only.**

1 The Court having considered the submissions of the United States, Defendant
2 Jeppesen Dataplan, Inc. ("Jeppesen"), and Plaintiffs Binyam Mohamed et al, it is hereby
3 ORDERED that on or before September 19, 2007, Jeppesen either (a) file a motion to
4 dismiss the complaint under Fed. R. Civ. P. 12, or (b) advise the Court that it intends to
5 answer the complaint. In the event that Jeppesen elects to forego the filing of a motion
6 under Rule 12, the Court hereby sets a status conference to discuss the scheduling issues,
7 and any other matters, raised by the United States' Statement of Interest, such conference
8 to be held on _____, 2007.
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10 Dated: Sept. ____ 2007.
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14 By: _____

15 The Hon. James Ware
16 United States District Judge
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